

adversely affecting their health. The CIR group will then make arrangements to have people from the Department of Health and Hospitals (DHH) along with doctors and DEQ experts discuss the topic at some length to give the communities a better picture of what the data in the research means. DEQ's Friloux points out that during this process, "... all we (CIR) can do is serve as a catalyst to bring the two groups together and provide them with resources. Our plan, once we get in, is to get the dialogue started so that when we leave, they can continue the process."

The CIR group will also occasionally receive calls from people who believe that a problem exists with a facility – such as a sewage pond that is located near them. The CIR group will then contact DEQ's Surveillance Division to investigate the complaint and if necessary, take samples to determine if an imminent threat is present.

Environmental Justice

CIR also tackles the major battleground issue of Environmental Justice. Environmental Justice can be defined as the "equitable treatment of all people, regardless of race, income, culture, or social class with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies." This definition is from DEQ's 1994 Final Report to the Louisiana Legislature on Environmental Justice. The Environmental Justice movement began in the early 1980s when some observers alleged that industry and so-called "undesirable facilities" were too often located near minority communities. Since then, environmental justice developed into the new civil rights movement of the 1980s and 90s.

DEQ's CIR group serves as the Agency's focal point for dealing with Title VI issues. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in all federally assisted programs and activities. As applied to the permitting process, state agencies receiving financial assistance from the Environmental Protection Agency (EPA) may not issue permits that are intentionally discriminatory or

have a discriminatory effect on race, color, or national origin. In February 1998, the EPA issued its first Interim Guidance to the states on how to deal with Title VI complaints and in June 2000, EPA issued two additional draft guidance documents to clarify Title VI for state agencies and citizens. The CIR section coordinated DEQ's responses to these documents. Members of the CIR group are frequently asked to speak on this topic in public forums.

DEQ places a high priority on Environmental Justice and considers this issue when making permit decisions. To date, the EPA has not produced a final Title VI guidance document and there is no definitive legislation on Environmental Justice. This crucial issue is still evolving.

CIR now advises companies trying to locate in the state to have small meetings throughout the communities that they are trying to work in. "We advise them (industry) to find and address the concerns of the community before setting up shop," Friloux says. By law, if a permit application is valid and meets all of the state and federal requirements, DEQ must grant the permit. The CIR section is in place to make the companies aware of their role in this unique symbiotic relationship.

Environmental Education

CIR recently became involved with environmental education by establishing a pilot program of environmental clubs in middle schools. CIR felt there was a need to help young people understand environmental issues. Several school clubs have been set up in the Baton Rouge area and more will be established this year. The CIR section hopes to eventually make this into a statewide effort. (See accompanying sidebar on page 4)

DEQ's Community/Industry section is a critical component to the Agency's overall service to the public. Friloux says, "I think we have made an impact. Citizens now recognize us as a group that they can call upon to assist

them in working with industrial neighbors."

For CIR information, please contact Jim Friloux at (225) 765-0735, or e-mail him at jimf@deq.state.la.us.



Children from the Crestworth Middle School environmental club pause for a moment before continuing their tour of the Exxon Mobil Polyolefins Plant in Baton Rouge.



Visit the DEQ Website often at: <http://www.deq.state.la.us/>



RECAP Improves Risk Evaluation

The Louisiana Department of Environmental Quality (DEQ) has a new method of evaluating and cleaning up waste sites now that the Risk Evaluation/Corrective Action Program (RECAP) is in place. The Department developed RECAP to standardize the approach used to set clean-up (remedial) standards for unwanted chemical releases that may pose a threat to human health and the environment.

In 1995, the Louisiana Legislature passed Act 1095 requiring DEQ to establish remedial standards. Before RECAP, waste remediation in Louisiana was not performed consistently because different programs used different standards. This problem was not unique to Louisiana, but was common

across the country. To fix this, DEQ called together a diverse group of staff from many different areas and asked them to develop Department-wide waste clean-up standards. This

"Corrective Action Group" (CAG) developed RECAP to: (1) establish remedial standards for soil and groundwater; (2) ensure that all remedial standards are developed consistently; (3) ensure that risk to human health and the environment is a primary consideration in the development of remedial standards; and (4) ensure that all parties involved in a clean-up situation are treated equally.

In creating RECAP, the CAG looked at several sources for guidance. The CAG looked at EPA's Risk Assessment Guidance for Superfund

(RAGS), Soil Screening Guidance, and related EPA risk assessment guidance documents and memoranda as well as risk-based programs from several other states. In addition, the Governor's Task Force on the Environment provided input during the development of the program. Steve Chustz, a Geologist Supervisor at DEQ, says, "This document (RECAP) incorporates all of the risk principles into one document and establishes risk policy decisions for the state of Louisiana."

The CAG produced three draft RECAP documents. The release of each draft was followed by a public comment period, which resulted in the submission of a total of approximately 1,800 public comments for consideration by the Department. After revision of the program in response to public comment, the original RECAP document was adopted on December 20, 1998. RECAP was recently re-promulgated on June 20, 2000 after minor modification. Because risk

"RECAP will always be a living document because there will always be a need to revise the document to keep it consistent with the latest scientific information."

**—Steve Chustz
Geologist Supervisor**

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